Article - Health - General

[Previous][Next]

§19–3A–05.

- (a) Except as provided in subsection (b) of this section, a person who violates any provision of this subtitle is guilty of a misdemeanor and on conviction is subject to a fine not exceeding \$5,000 or imprisonment not exceeding 1 year or both.
- (b) (1) In addition to other penalties available under law, the Department may impose sanctions against a freestanding medical facility that fails to comply with this subtitle or regulations adopted under this subtitle.
- (2) The sanctions imposed by the Department under paragraph (1) of this subsection include:
 - (i) A civil penalty not to exceed \$10,000;
- (ii) Restrictions on the operation of the freestanding medical facility;
 - (iii) A directed plan of correction; and
- (iv) Suspension or revocation of the freestanding medical facility's license.
- (c) (1) Except as otherwise provided under the Administrative Procedure Act, before the Department may impose sanctions under subsection (b)(2)(i), (ii), or (iv) of this section, the Department shall give the freestanding medical facility notice and the opportunity for a hearing and judicial review under the Administrative Procedure Act, as provided in Title 10, Subtitle 2 of the State Government Article.
- (2) Before the Department may impose a directed plan of correction, the Department shall give the freestanding medical facility notice and the opportunity for a prompt informal hearing with the Director of the Office of Health Care Quality.

[Previous][Next]